

BEFORE THE OFFICE OF THE COMMISSIONER OF RAILROADS

STATE OF WISCONSIN

On the Commissioner's Own Motion for a Determination of the Adequacy of Warning Devices at Five Grade Crossings of the Wisconsin Central Ltd. and Two Grade Crossings of the Fox Valley & Western Ltd. Tracks in the City of Neenah, Winnebago County

9164-RX-448

SUPPLEMENTAL ORDER

On March 1, 2001, the Office of the Commissioner of Railroads (OCR) issued an order concerning the warning devices at 5 grade crossings of the Wisconsin Central Ltd. (WCL) tracks and two grade crossings of the Fox Valley & Western Ltd. (FVW) tracks in the City of Neenah, Winnebago County. Among other things, the order required the following:

Street	Crossing Number		Signal Upgrade
Byrd Avenue	689 813T	WCL	New cantilevered 12" LEDs, gates and CWT
Byrd Avenue	179 866J	FVW	None
Kampo Road	689 812L	WCL	New 12" LEDs, gates and CWT
Kampo Road	179 865C	FVW	None

The order required that the signal work be completed by October 31, 2002. The deadline was later extended to May 31, 2003.

On October 30, 2002, the railroad requested certain changes to the order. With regard to **Byrd Avenue**, the railroad requested that the WCL and FVW tracks be treated as a single three-track crossing for the purposes of warning devices. The railroad also requested that the requirement for a cantilevered signal on the west side of the WCL crossing be changed to a mast-mounted signal.

The original order treated the WCL and FVW tracks as separate crossings. The tracks are 95' measured along the roadway center. Normally, crossings that are 100' apart or less are treated as single, multiple-track crossings. The WCL and FVW are both owned by the Canadian National. It is reasonable to treat these tracks as a single crossing.

With regard to the cantilevered signal on the west side of the Byrd Avenue crossing, the railroad notes that the City has widened Harrison Street, which runs parallel to the west track at the crossing. This change has left no room for the placement of a cantilever and a gate in this quadrant. The cantilever would serve no useful purpose as this is a T-intersection. It is reasonable to amend the order to eliminate the cantilevered signal west of the crossing.

With regard to **Kampo Road**, the railroad also requests that the WCL and FVW tracks be treated as a single two-track crossing for the purposes of warning devices. The two tracks are 90' apart. It is reasonable to treat these tracks as a single crossing.

THEREFORE, IT IS ORDERED,

That the provisions of paragraphs 1 and 2 of the final decision be amended to read:

1. That the **Wisconsin Central Ltd. and the Fox Valley & Western Ltd.** shall install and maintain automatic 12" LED flashing light signals, gates, constant warning time circuitry and other appropriate appurtenances in accordance with such plans as are filed with and approved by the Office of the Commissioner of Railroads at the crossing of its tracks with **Kampo Road (WCL crossing no. 689 812L and FVW crossing no. 179 865C)** at-grade in the City of Neenah, Winnebago County by **May 31, 2003**. The WCL and FVW tracks shall be treated as a single, two-track crossing.

2. That the **Wisconsin Central Ltd. and the Fox Valley & Western Ltd.** shall install and maintain automatic 12" LED flashing light signals, gates, constant warning time circuitry and other appropriate appurtenances in accordance with such plans as are filed with and approved by the Office of the Commissioner of Railroads at the crossing of its tracks with **Byrd Avenue (WCL crossing no. 689 813T and FVW crossing no. 179 866J)** at-grade in the City of Neenah, Winnebago County by **May 31, 2003**. The WCL and FVW tracks shall be treated as a single, three-track crossing. A cantilevered signal shall be installed east of the FVW track and a mast-mounted signal with sidelights for Harrison Street shall be installed west of the WCL tracks.

Dated at Madison, Wisconsin, _____.

By the Office of the Commissioner of Railroads.

Rodney W. Kreunen
Commissioner of Railroads

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